

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION NO.
v.)	2:19cr118-MHT
)	(WO)
CLARENCE WRIGHT LANE, JR.)	

OPINION AND ORDER

Defendant Clarence Wright Lane, Jr. has been indicted on 14 counts: one count of possessing a firearm known to be stolen, eight counts of disposing of a firearm to a convicted felon, one count of conspiring to distribute and possess with intent to distribute 50 grams or more of methamphetamine, and four counts of possessing with intent to distribute 50 grams or more of methamphetamine. The question before the court is whether Lane has the mental capacity to proceed to trial, that is, whether he is currently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is not able to understand the nature and consequences of the proceedings against him or to assist properly in his

defense. See 18 U.S.C. § 4241(a). Based on the recent forensic evaluation conducted by the Bureau of Prisons (BOP), the court finds that he has the mental capacity to proceed.

The issue of Lane's competency first came to the court's attention on August 16, 2019, when defense counsel filed a motion for mental competency examination. Defense counsel represented that Lane had been previously diagnosed with Attention-Deficit Disorder with Hyperactivity (ADHD) and bipolar disorder. Defense counsel further stated that in the course of this case, Lane's decisions appeared "impulsive and irrational" and raised concerns that Lane may suffer from an intellectual disability or limited intellectual capacity. The court granted the motion and ordered a competency evaluation.

Lane was then transferred to the BOP Federal Medical Center, Fort Worth, Texas where he was evaluated by Danielle Powers, Psy.D. Powers's report to the court states that Lane does not currently appear

to be suffering from any mental illness. See Forensic Evaluation (doc. no. 85) at 9. Dr. Powers opines that Lane is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense and, therefore, is competent to proceed. See *id.* at 10. At the competency hearing on November 21, 2019, neither the government nor the defense disputed the report's finding that Lane is competent.

Therefore, based upon the psychological evaluation by Dr. Powers, and pursuant to 18 U.S.C. § 4241(a), the court concludes that Lane is not currently suffering from a mental disease or defect such that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

Accordingly, it is ORDERED that defendant Clarence Wright Lane, Jr. is declared mentally competent to

proceed in this case.

DONE, this the 22nd day of November, 2019.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE